

Credit River Township Board Meeting

Monday, October 5, 2015, 6pm

Meeting Minutes

The October 5, 2015 Credit River Township Meeting was called to order with the Pledge of Allegiance at 6pm, by Chairman Kostik.

Members Present:

Chairman Kostik, Vice Chairman Novak, Supervisor Schommer, Supervisor Lawrence
Supervisor Nilsen.

Others Present:

Treasurer LeVoor, Engineer Nelson, Township Attorney Ruppe, Clerk Donovan

Chairman Kostik opened the public hearing for the Vacation of Easements and asked for public comments.

No comments were heard.

Motion to Close Public Hearing on the Vacation of Easements: Supervisor Schommer

Second: Vice Chairman Novak

Motion Passed: 5-0

1) Approve or Amend Agenda

Treasure LeVoir requested to add #7 "Audit" and #8 "Invoice Update" under Treasurer's Report.

Supervisor Nilsen requested to add "Tom Kraft Name Plate" as #2 under Town Hall.

Engineer Nelson requested to add "Vacation of Harvest Hills Easement" to Old Business as #10.

Motion to Approve Amended Agenda: Supervisor Lawrence

Second: Supervisor Nilsen

Motion Passed: 5-0

2) Consent Agenda

1. September 9, 2015 Board Meeting Minutes

2. August 2015 Treasurer's Report

3. September 2015 Developer's Escrow Statement

Motion to Approve Consent Agenda: Supervisor Lawrence

Second: Supervisor Schommer

Motion Passed: 5-0

3) Open Forum

4) Old Business

1. Adopt Assessment Roll for 196th Street and Southfork

Engineer Nelson provided a new forecasted project cost of \$104,300 (original forecasted cost was \$136,880) for the 196th St and Southfork road project. The estimated original proposed assessment was \$2,360 and will be reduced to \$1,800 for the 29 benefitting properties.

Motion to Approve Resolution 2015-47 Adopting Assessment Roll for 196th St and Southfork: Supervisor Lawrence

Second: Supervisor Schommer

Motion Passed: 5-0

2. Adopt Assessment Roll for Century Court and Kane Ave

Engineer Nelson provided the new forecasted project cost of \$62,700 (original forecasted cost was \$70,400) for the Century Court and Kane Ave road project. The estimated original proposed assessment was \$3,200 and will be reduced to \$2,850 per parcel.

Motion to Approve Resolution 2015-48 Adopting Assessment Roll for Century Court and Kane Ave: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

3. Adopt Assessment Roll for Casey Parkway and Killarney

Engineer Nelson provided the new forecasted project cost of \$115,008 (original forecasted cost was \$149,910) for the Casey Parkway and Killarney road project. Three varying assessment amount occur in this project: Original assessment \$2,380 reduced to \$1,825, \$2,975 reduced to \$2,280 and \$3,570 reduced to \$2,740.

Motion to Approve Resolution 2015-49 Adopting Assessment Roll for Casey Parkway and Killarney: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

4. Adopt Assessment Roll for Valley Oaks First Addition

Engineer Nelson provided the new forecasted project cost of \$628,700 (original forecasted cost was \$601,250) for the Valley Oaks First Addition road project. The estimated original proposed assessment was \$9,750 and would be increased to \$10,200 due to the increase in the project cost, however, the township policy is to not increase assessments from the proposed amounts. The assessment will remain at the original proposed amount of \$9,750.

Motion to Approve Resolution 2015-50 Adopting Assessment Roll for Valley Oaks First Addition: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

5. Adopt Assessment Roll for Flag Trail

Engineer Nelson provided the new forecasted project cost of \$285,362 (original forecasted cost was \$387,500) for the Flag Trail road project. The estimated original proposed assessment was \$10,460 and will be reduced to \$7,560, commercial property original assessment was \$31,380 and will be reduced to \$22,680 and indirect property assessment was estimated at \$2,615 and will be reduced to \$1,890.

The new forecasted project cost does not include a possible \$40,000 litigation estimate but does include a \$4,000 Spring Lake Township administrative cost. Board feels that the litigation costs should not be included in the project cost.

Motion to Approve Resolution 2015-51 Adopting Assessment Roll for Flag Trail: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

6. Adopt Assessment Roll for Rolling Oaks

Engineer Nelson provided the new forecasted project cost of \$137,591 (original forecasted cost was \$137,500) for the Rolling Oaks road project. The estimated original proposed assessment will remain unchanged at \$11,500 and \$5,500 for benefitting properties.

Motion to Approve Resolution 2015-52 Adopting Assessment Roll for Rolling Oaks: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

7. Adopt Assessment Roll for Gensmer Circle

Engineer Nelson provided the new forecasted project cost of \$86,514 (original forecasted cost was \$85,835) for the Gensmer Circle road project. The estimated original proposed assessment will remain unchanged at \$12,875 for benefitting properties.

Motion to Approve Resolution 2015-53 Adoption Assessment Roll for Gensmer Circle: Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

8. Flood Fund Cooperative Agreement

Attorney Ruppe has recommended changes to the Flood Fund Cooperative Agreement document and will advise Lisa Freese of the changes.

Attorney Ruppe recommends to adopt agreement contingent on attorney review.

Motion to approve the Flood Fund Cooperative agreement pending attorney review: Vice Chairman Novak

Second: Supervisor Lawrence
Motion Passed: 5-0

9. MK Tree Property/Country Court Property

MK Tree Property:

Resident D. Berens was not present at the meeting. Dan Ekholm has not sent an update on a secondary inspection done October 2, 2015. Board feels need to address the issues that are violating township ordinances. Attorney Ruppe will draft a letter with the township ordinance violations.

Country Court Property:

Board discussion was regarding the Country Court Property to be developed. Since the resident is not present no action required. No further discussion will be held until escrow is received.

10. Vacation of Harvest Hills Easement

Motion to approve Resolution 2015-54 Vacating Drainage and Utility Easement -Harvest Hills: Supervisor Schommer

Second: Vice Chairman Novak

Motion Passed: 5-0

11. Scott County Sheriff Update

Sheriff Deputy attended meeting to give an update and dropped off the September 2015 incident report.

5) New Business

1. Legends-Liquor License Renewal

Contingent on the county/Sheriff response. Clerk Donovan to ask the Sheriff if there have been issues regarding the Legends Club Grill and Heritage Links

Motion to Approve the Resolution 2015-55 Liquor License, Sunday License for the Legends Club Grill Contingent on the Response Received from the Scott County Sheriff on any issues:

Supervisor Schommer

Second: Vice Chairman Novak

Motion Passed: 5-0

2. Jaguar Utility Permit

Requested utility permit for Jaguar Communication was held due to a question regarding a possible franchise cable TV issue with Jaguar Communications. Since Jaguar Communication is only expected to be providing fiber optic internet only, Attorney Ruppe did not see an issue. Engineer Nelson has reviewed the permit. The utility permit will be approved and no conditions will be attached.

6) Road Report

1. Lynn Drive Culvert

Engineer Nelson did a site visit to a culvert on Lynn Dr. near the monument that a resident had been taking care of and questioned the condition of the culvert. The culvert in question was determined to be in the county ROW. An additional culvert was found under Lynn Drive which is Engineer Nelson said was in need of repair.

7) Engineer's Report

1. Pay Estimate for Valley Oaks First Addition

Engineer Nelson recommended to pay Hardrives based on the pay estimate \$202,729.17 for Valley Oaks First Addition.

**Motion to Approve the Pay Estimate of \$202,729.17 to Hardrives:
Supervisor Schommer**

Second: Supervisor Lawrence

Motion Passed: 5-0

Engineer Nelson requested a Change Order #1 due to contract times for Hardrives. This does not cause an increase or decrease in costs.

**Motion to Approve Change Order #1 for Hardrives: Supervisor
Schommer.**

Second: Supervisor Nilsen

Motion Passed: 5-0

2. Pay Estimate for 2015 Road Improvement Project

Engineer Nelson requested to approve pay estimate #2 for the 2015 Road Improvement (Flag Tr, Rolling Oaks and Gensmer Cr) for \$287,074.50. This is for work completed up to turf establishment and shouldering.

Motion to Approve Pay Estimate #2 of the 2015 Capital Improvement Project for \$287,074.50: Vice Chairman Novak
Second: Supervisor Lawrence
Motion Passed: 5-0

Engineer advised that McNamara has requested a time Change Order #1 to October 9, 2015. This was requested due to the time the contract was originally awarded. The project will not be closed out until June 15, 2016, to allow for seeding completion. A percentage is being retained until project is completed.

Motion to Approve Change Order #1 for McNamara Contracting:
Supervisor Lawrence
Second: Supervisor Schommer
Motion Passed: 5-0

3. Harvest Hills Update

Engineer Nelson gave an update on the storm water model which was built to hold a significant amount of water. Quote will be available for November meeting.

4. Fern and Birch

Engineer Nelson met with Mark's Bobcat and received quotes for drain tile and seeding.

Quote # 1: \$10,554 for drain tile.

Quote # 2: \$ 8,748.50 for seeding repairs. Engineer Nelson feels the seeding is part of Valley Paving project and does not recommend approving at this time.

Discussion was held regarding Valley Paving responsibility.

Supervisor Schommer recommended approval of the drain tile quote to avoid icing on resident's driveways over the winter.

5. 21580 Bitterbush Pass

Engineer Nelson reviewed 21580 Bitterbush where the builder, Cyclone Partners/Krieger Construction, removed the gravel on the shoulder and replaced it with black dirt, sprinkler heads and sod up to the road. Attorney Ruppe will call lawyer for Cyclone Partners/Krieger Const. Treasurer LeVair advised the board that township still holds escrow for this property.

6. 2016 Capital Improvement Project (Scottview)

A public hearing will be held on October 28, 2015 at 7pm at the Credit River Town Hall to discuss the 2016 Capital Improvement Projects to the roads with Scottview Estates.

**Motion to Approve Resolution 2015-56 Calling for a Hearing on the Improvements to the Roads within the Plat of Scottview Estates on October 28, 2015 at 7pm: Vice Chairman Novak
Second: Supervisor Schommer
Motion Passed: 5-0**

8) Treasurer Report

1. Transfer Funds

Treasurer LeVoir requested a transfer of funds of \$545,000 from the township Savings to the township Checking account to pay claims.

**Motion to Approve the Transfer of Funds of \$545,000 from the Township Savings to the Township Checking Account:
Supervisor Lawrence
Second: Vice Chairman Novak
Motion Passed: 5-0**

2. Levy Resolution

Treasurer LeVoir provided the resolution setting the final levy for 2015 to be collected in 2016 and asked the board to review. The levy was set by the Credit River residents.

**Motion to Approve Resolution 2015-57 to Set the Final 2015 Levy for Collection in 2016: Supervisor Lawrence
Second: Supervisor Schommer**

<u>Roll Call</u>	<u>Aye</u>	<u>Nay</u>
Chairman Kostik	X	
Vice Chairman Novak	X	
Supervisor Lawrence	X	
Supervisor Schommer	X	
Supervisor Nilsen	X	

Motion Passed: 5-0

3. Approval of 2016 Budgeted Revenues & Expenditures

Treasurer LeVair advised the board of the Final Line Item Expense and Revenue reports which are in the drop box. The only change from what had previously been discussed during the budgeting process is the closure of the Murphy Lake Blvd Fund which has a \$5,000 budget expense. The \$5,000 was reallocated from the Murphy Lake Blvd Fund into the Road & Bridge Fund: Unpaved Streets, Repair Roads expense.

Motion to Approve the Line Item Revenue and Expenditures in the General Fund, Road and Bridge Fund, Park Fund, 2009 GO Bond Fund, 2012 GO Bond Fund, 2015 GO Bond Fund, 2015 Road Project Fund and the Capital Improvement Fund for 2016: Vice Chairman Novak
Second: Supervisor Schommer
Motion Passed: 5-0

4. 2016 Certification Resolution (Unpaid Srv Fees)

Three properties require certification for unpaid service fees for CSTS.

Motion to Approve Resolution 2015-58 Certifying Delinquent Community Sewer Treatment Service Fees and Related Interest: Supervisor Lawrence
Second: Supervisor Nilsen
Motion Passed: 5-0

5. CSTS Budgeting

Treasurer LeVair requested a meeting to be held regarding the CSTS budget with Chairman Kostik, Vice Chairman Novak and NSU Representative Shane Symmank. Treasurer LeVair will send an email to coordinate a meeting time.

6. Assessment Letters

Treasurer LeVair asked the board to review the sample assessment letters to be sent to residents which are available in the drop box. Board recommended to add a statement referring to the mandated state statute of adding 2% to the interest.

Assessment letters will be mailed to "property owners" and property address.

7. Audit

Treasurer LeVoir advised that there will be a meeting with the Auditors on Thursday, October 8, 2015 at 11:00am at the town hall.

8. Invoice Update

Treasurer LeVoir advised that CenterPoint Energy questions have been answered and invoice is still pending.

Collin's Tree Trimming: \$1,100 will be billed to Territory HOA for tree trimming in the entrance at Territory. Board agreed that this was acceptable.

9) Clerk's Report

1. November Election-Lakeville School District

Clerk Donovan updated the board on the Lakeville School District election which will be held November 3, 2015 from 7am-8pm.

The town hall will need to be staffed during the election:

Open to noon: Supervisor Lawrence
Noon-4pm: Vice Chairman Novak
4pm-Close: Supervisor Schommer

Regular township business hours will be closed on Tuesday, November 3, 2015.

Clerk Donovan will arrange for the septic to be pumped.

10) Town Hall

1. Garbage

Chairman Kostik recommended looking at cost of garbage service pick up similar to residential service container as opposed to bringing the garbage home which is currently done. Chairman Kostik will check with Buckingham for rates.

2. Tom Kraft's Name Plate

Supervisor Nilsen proposed that Tom Kraft's name plate remain on the table during the board meetings until the election in March. The board agreed.

11) Review and Pay Bills

Checks:	Paid To:	Amount:	Comments:
Paid Chk# 000340E	ANCHOR BANK	50.00	ACH/Check Scanner Fees and NSF Fee
Paid Chk# 000341E	VISA COMMUNITY CARD	69.99	iContact Fee/Carbonite Renewal Fee
Paid Chk# 000342E	EFTPS	1,465.51	FICA/Medicare/Fed WH
Paid Chk# 000343E	PERA	756.75	PERA
Paid Chk# 000344E	MINNESOTA REVENUE MW5	59.05	State WH
Paid Chk# 008454	AL NOVAK	914.26	September 2015 Srv Paid in October 2015
Paid Chk# 008455	BRENT LAWRENCE	858.85	September 2015 Srv Paid in October 2015
Paid Chk# 008456	CHRIS KOSTIK	761.74	September 2015 Srv Paid in October 2015
Paid Chk# 008457	KAREN DONOVAN	XXXX	September 2015 Srv Paid in October 2015
Paid Chk# 008458	LEROY SCHOMMER	1,018.15	September 2015 Srv Paid in October 2015
Paid Chk# 008459	SARAH LEVOIR	XXXX	September 2015 Srv Paid in October 2015
Paid Chk# 008460	BOHNSACK EXCAVATING INC.	933.50	Flag Trl & Prairie Hills - Rip Rap & Grade Ditches
Paid Chk# 008461	BRENT LAWRENCE	20.70	September 2015 Expense Reimbursement
Paid Chk# 008462	CENTERPOINT ENERGY	15.00	Town Hall Gas
Paid Chk# 008463	CHRIS KOSTIK	64.90	September 2015 Expense Reimbursement
Paid Chk# 008464	COLLINS TREE CARE, INC	4,100.00	Tree Trimming - Various Township Roads
Paid Chk# 008465	ECM PUBLISHERS INC	43.67	Legal Publishings
Paid Chk# 008466	G&K SERVICES	81.20	Town Hall Rug Service
Paid Chk# 008467	GALLAGHERS	1,008.00	August/September 2015 Gravel Rd Mtc
Paid Chk# 008468	GOPHER STATE ONE CALL	91.45	August 2015 Utility Locates
Paid Chk# 008469	GREAT RIVER ENERGY	950.00	Refund Access Escrow/Inspect Fee-8030 165th
Paid Chk# 008470	HAKANSON ANDERSON ASSOC INC	41,152.03	Engineering
Paid Chk# 008471	INTEGRA TELECOM	626.01	Phone
Paid Chk# 008472	JASON M. GALLAGHER	1,374.00	NPDES Escrow Refund - 20170 Huntington
Paid Chk# 008473	KAREN DONOVAN	57.48	September 2015 Expense Reimbursement
Paid Chk# 008474	MARKS BOBCAT SERVICE, INC.	1,800.00	Town Hall/Parks Mowing Aug/Sept 2015
Paid Chk# 008475	MINNESOTA DEPT OF HEALTH	150.00	MHSP Monitoring Well Permits
Paid Chk# 008476	MVEC	669.38	Electricity
Paid Chk# 008477	NATURAL SYSTEMS UTILITIES MN	9,033.08	CSTS Monitoring
Paid Chk# 008478	NORTHERN TECHNOLOGIES, INC	4,510.77	2015 CIP Rd Proj - Testing Services
Paid Chk# 008479	PAUL HOWE	60.00	Cont. of Annual Meeting Moderator
Paid Chk# 008480	RAPID PRESS	80.00	Township Receipt Books - 4 Total
Paid Chk# 008481	SARAH L HILL	410.00	NPDES Escrow Refund - 20120 Texas
Paid Chk# 008482	SARAH LEVOIR	50.00	September 2015 Expense Reimbursement
Paid Chk# 008483	SCOTT SOIL & WATER CONSV DIST	3,546.00	Aug/Sept 2015 Building Site Inspections
Paid Chk# 008484	ST CROIX RECREATION FUNPLAYGRD	1,261.00	Scottview Park - Picnic Table
Paid Chk# 008485	U.S. BANK EQUIPMENT FINANCE	143.25	Lease Payment - Copier; October 2015
Paid Chk# 008486	WENSMANN REAL ESTATE SERVICES	1,694.00	NPDES Escrow Refund - 21850 Dundee Drive
Paid Chk# 008487	XCEL ENERGY	12.87	St. Francis Light
Paid Chk# 008488	HARDRIVES, INC.	202,729.17	Valley Oaks 1st Add. Rd Proj - Pay Estimate #2
Paid Chk# 008489	MCNAMARA CONTRACTING INC	287,074.50	Gensmer; Flag; Rolling Oaks Rd Proj-Pay Est #2

Total 573,622.60

12) Adjourn

There being no further business before the Town Board, a motion to adjourn was heard.

**Motion to adjourn October 5, 2015 Credit River Township Meeting:
Vice Chairman Novak
Second: Supervisor Lawrence
Motion passed: 5-0**

The October 5, 2015 Credit River Township Board Meeting was adjourned at 8:40 pm.

Recorded by:

**Karen Donovan
Clerk of Credit River Township**

Approved by:

**Chris Kostik
Chairman
Credit River Township**